

**ERIE COUNTY LEGISLATURE
MEETING NO. 2
JANUARY 26, 2017**

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Mr. Savage, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Grant.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 1 from 2017. MR. RATH seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MR. LORIGO presented a resolution Honoring the life of Robert McCabe.

Item 6 – MS. MILLER-WILLIAMS presented a resolution Honoring Eva M. Doyle as the Erie County Legislature's Citizen of the Month for January 2017.

Item 7 – MS. MILLER-WILLIAMS presented a resolution Honoring the Accomplishments of Buffalo State College President Dr. Katherine Conway-Turner and Express Gratitude for Delivering the Keynote Address for the 27th Anniversary of the New Hope Baptist Church MLK Scholarship Breakfast.

Item 8 – MS. MILLER-WILLIAMS presented a resolution Congratulating the Christian Education Scholarship Committee of New Hope Baptist Church on Celebrating its 27th Year of Dedicated Service to the Community.

Item 9 – MR. RATH & M presented a resolution Recognizing James J. Allen on his Career as the Executive Director of the Amherst Industrial Development Agency and Congratulating him upon his Retirement.

MR. LORIGO moved for consideration of the above five items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above five items to include Et Al sponsorship. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above five items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 10 – CHAIR MILLS directed that Local Law No. 3 (Print #1) 2016 remain on the table and in the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 11 – CHAIR MILLS directed that Local Law No. 4 (Print #2) 2016 remain on the table and in the HEALTH & HUMAN SERVICES COMMITTEE.

GRANTED.

Item 12 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 13 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 14 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 15 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 16 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 17 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 18 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 19 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 20 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 23 – MS. DIXON presented the following report and moved for immediate consideration and approval. MS. MILLER-WILLIAMS seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 6

January 12, 2017	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. COMM. 1E-14 (2017)
COUNTY EXECUTIVE

WHEREAS, the Erie County Department of Mental Health’s Single Point of Access (SPOA) process is designed to identify, screen and assign Care Coordination and Wraparound Services to eligible high need/high risk children and youth with a serious emotional disturbance (SED) and/or behavioral disorder and their families; and

WHEREAS, the Erie County Department of Mental Health has been awarded an additional \$89,100 by the New York State Office of Mental Health (OMH) as part of an effort to help support the enhanced roles and responsibilities of the Local Government Unit (LGU) and SPOA due to changes to the OMH Home- and Community-Based Services (HCBS) Waiver; and

WHEREAS, the New York State OMH has identified the Erie County Department of Mental Health as the recipient of this award to continue development of its Children’s SPOA community outreach; and

WHEREAS, the Erie County Department of Mental Health requires legislative approval to accept the State funds and to maintain a grant budget in Fund 281; and

WHEREAS, no County funds will be necessary for Erie County to accept this state aid to serve individuals residing in Erie County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to accept additional New York State funds as part of an effort to help support the enhanced roles and responsibilities of the LGU and SPOA, and authorizes the Division of Budget and Management to maintain a grant-funded position as follows:

Erie County Department of Mental Health
Grant Fund 281, Fund Center 12420
January 1, 2017 – December 31, 2017
124SPOA2017

Revenue	Increase
Account 406810 - State Aid – Forensic Mental Health	\$89,100
Appropriation	Increase
Account 500000 – Full Time Salaries	\$55,650
Account 502000 – Fringe Benefits	<u>\$33,450</u>
Total Appropriation	\$89,100

and be it further

RESOLVED, that authorization is hereby provided to transfer the currently budgeted position #51012974 existing in the Department of Mental Health 2016 SPOA grant into the 2017 SPOA grant once the 2016 grant has ended; and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to the grantor award, provided there are no changes to county share amounts; and be it further

RESOLVED, that certified copies of this resolution be furnished to the Office of the County Executive, the Department of Mental Health, the Office of the Comptroller, and the Division of Budget and Management.
(5-0)

2. COMM. 1E-15 (2017)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment, upon the recommendation of the County Executive, of Toni Badillo (235 Fries Rd, Tonawanda, NY 14150) and Gamileh Jamil (54 Meadow Brook Dr, Lackawanna, NY 14218) to serve on the Erie County Commission on the Status of Women for a term ending June 30, 2019.
(5-0)

3. COMM. 1E-16 (2017)
COUNTY EXECUTIVE

RESOLVED, the Erie County Legislature hereby confirms the appointment, upon the recommendation of the County Executive, of the following individuals to serve on the Senior Services Advisory Board:

Tonnalee Batchelor
200 Easton Ave
Buffalo, NY 14215

Fidele Menavanza
Center for Elder Law & Justice
438 Main St, Ste 1200
Buffalo, NY 14202

Providencia Carrion
69 19th St, Unit 1
Buffalo, NY 14213

Brenda O'Neill
Rural Transit Service
PO Box 212
1000 Brant Farnham Rd
Brant, NY 14027

Nellie Johnson
27 Byrd Way
Buffalo, NY 14204

W. Robert Rohrbach
432 Linden Ave
East Aurora, NY 14052

Howard Johnson
49 Pershing Ave
Buffalo, NY 14211

Mary Jane Miess
10119 Genesee Rd
East Concord, NY 14055

(5-0)

LYNNE M. DIXON
CHAIR

Item 24 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 7

January 12, 2017	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 21D-6 (2016)
COMMISSIONER, DEPARTMENT OF PERSONNEL: “Explanation of the Need for Pre-Employment Fingerprinting”
(5-0)
 - b. COMM. 1D-5 (2017)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(5-0)
 - c. COMM. 1D-6 (2017)
DEPARTMENT OF LAW: “Transmittal of New Claims Against Erie County”
(5-0)

KEVIN R. HARDWICK
CHAIR

Item 25 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 8

January 12, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 1M-4 (2017)
INVEST BUFFALO NIAGARA “Lead Generation Campaign - Jun. 2015 - Oct. 2016 Report”
(4-0) Legislator Burke not present for vote.
2. COMM. 1E-4 (2017)
COUNTY EXECUTIVE
WHEREAS, the Erie County Department of Public Works requires consulting services for abatement monitoring, sampling and testing for removal of hazardous materials at various Erie Community College Projects; and

WHEREAS, the County will receive 50% reimbursement from New York State for this project; and

WHEREAS, removal of existing asbestos containing material requires NYS Certified Asbestos Project Monitoring Services to ensure contractor compliance per NYS ICR 56-9.1(d)(1); and

WHEREAS, the County Executive is requesting authorization from the Legislature to enter into an Agreement with Watts Architecture & Engineering to provide abatement monitoring, sampling and testing services, for the Erie Community College – 2016 – Collegewide Hazardous Materials Abatement Testing and Monitoring project.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into an Agreement with Watts Architecture & Engineering to provide abatement monitoring, sampling and testing services, for Erie Community College – 2016 – Collegewide Hazardous Materials Abatement Testing, Sampling and Monitoring for an amount not to exceed \$25,000.00; and be it further

RESOLVED, that the Comptroller’s Office be authorized to make payment for all the above from SAP Project: E.15004 - 2015 - Erie Community College – Code Compliance Collegewide, Fund 480, BA 122 for an amount not to exceed \$25,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner’s Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, William Reuter, CAFO of Erie Community College, and the Office of the Comptroller.

(4-0) Legislator Loughran not present for vote.

3. COMM. 1E-5 (2017)

COUNTY EXECUTIVE

WHEREAS, the Office of the Sheriff requires the expansion of the current mental health space within the Erie County Correctional Facility in order to adequately serve the needs of inmates with mental illness; and

WHEREAS, the Department of Public Works received bids for the Erie County Correctional Facility (ECCF) -2015- Mental Health Renovations project on September 14, 2016; and

WHEREAS, the Erie County Department of Public Works, along with the Consultant, is recommending award of the contract to the lowest responsible bidder.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is authorized to enter into a contract with the lowest responsible bidder for the Erie County Correctional Facility (ECCF) -2015- Mental Health Renovations project as follows:

General Construction Work

Northern Dreams Construction Inc. Base Bid:	\$237,000.00
Alt Bid No 1	\$156,000.00
Total Contracts Not To Exceed	\$393,000.00

;and be it further

RESOLVED, that the sum of \$38,000.00 be allocated to a Construction Contingency Fund with authorization for the County Executive to approve change orders in an amount not to exceed the Contingency Fund; and be it further

RESOLVED, that the deduction change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from the following SAP Project accounts as follows:

A.15028 - Sheriff's Improvements to Holding Center & Correctional Facility - Countywide	\$138,508.00
A.16032 - Sheriff's Improvements to Holding Center & Correctional Facility - Countywide	<u>\$292,492.00</u>
Total Amount Not to Exceed	\$431,000.00

;and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, Office of the Sheriff, the Division of Budget and Management, and the Office of the Comptroller.

(5-0)

4. COMM. 1E-6 (2017)

COUNTY EXECUTIVE

WHEREAS, the Department of Public Works, Division of Highways, and the New York State Department of Transportation (NYSDOT) perform annual and biannual inspections of County-owned bridges and culverts; and

WHEREAS, as a result of these inspections and taxpayer notifications, Erie County desires to respond to conditions which may restrict access to the traveling public with a plan of action as soon as practicable; and

WHEREAS, engineering and design services are necessary for the annual Bridge Inspection and Maintenance Program; and

WHEREAS, your Honorable Body has previously authorized the County Executive to enter into a Term Agreement for providing professional engineering services via Comm. 10E-18 adopted May 28, 2015; and

WHEREAS, the Department of Public Works, Division of Highways, determined that CHA Consultants, Inc. has the appropriate expertise and experience in emergency bridge design, technical/engineering services, construction management and inspection, and bridge maintenance design; and

WHEREAS, in order for the Department of Public Works, Division of Highways, to respond to these cited County bridge deficiencies with appropriate action, Legislature approval is required to authorize the County Executive to extend the existing contract with CHA Consultants, Inc. to perform this work through a Change Order.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive be authorized to execute a Change Order to increase the existing contract funding with CHA Consultants, Inc. for providing engineering and design services for the annual Bridge Inspection and Maintenance Program by the amount of \$147,633.54. from Fund 420, BA 123, SAP Account B.15019, 2015 Capital Overlay Program (PAYGO); and be it further

RESOLVED, that five (5) certified copies of this resolution be sent to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Division of Budget and Management, the Office of the Comptroller and the Division of Purchase. (4-0) Legislator Burke not present for vote.

5. COMM. 1E-7 (2017)

COUNTY EXECUTIVE

WHEREAS, Erie County authorized the replacement of the Brooklyn Street Bridge Project for bridge construction with Hunting Valley Construction, Inc., and construction inspection and administration with CHA Consulting Inc. in the amount of \$750,000 via Comm. 14E-13 of July 30, 2015; and

WHEREAS, public bids were opened on July 2, 2015 for the Project, and the contract was awarded to Hunting Valley Construction, Inc. in the amount of \$648,602.00., and CHA Consulting, Inc. agreement for the construction inspection and engineering services in the amount of \$85,000; and

WHEREAS, unforeseen deficiencies discovered during construction including, additional quantity for demolition of concrete substructures, winter concrete and engineering inspection services that exceed the project budget; and

WHEREAS, DPW is requesting authorization to increase the Project budget in the amount of \$29,719.98 from funds available in SAP Account A.15012, 2015 Countywide Parks Improvements, Fund Center 164, Fund 410; and

WHEREAS, DPW is requesting authorization for the County Executive to execute Change Orders with the aforementioned vendors for unforeseen deficiencies discovered during construction including, additional quantity for demolition of concrete substructures, winter concrete and engineering inspection services in the amount of \$29,719.98;

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable body authorizes an increase in the Project budget in the amount of \$29,719.98 from available funds in SAP Account A.15012, 2015 Countywide Parks Improvements, Center 164, Fund 410; and be it further

RESOLVED, that the County Executive be authorized and is hereby directed to executed change orders with Hunting Valley Construction and CHA Consulting; and be it further

RESOLVED, that the Clerk of the Legislature be instructed to forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and one copy each to the Office of the County Executive, the Office of Budget and Management, and the Office of the Comptroller.

(4-0) Legislator Burke not present for vote.

6. COMM. 1E-8 (2017)

COUNTY EXECUTIVE

WHEREAS, it is desired to acquire the ROW necessary for the repair and/or replacement of a total of 18 culverts on the County road network in the Towns of Alden, Boston, Colden, Holland, Lancaster, Marilla, Wales and West Seneca, the "Project"; and

WHEREAS, in order to facilitate construction of the Project it will be necessary for the County to acquire by easement and/or fee, such parcels as may become necessary for construction, including parcels that are portions of real property in the vicinity of the project as follows:

<u>PORTIONS OF TAX MAP SBL NUMBER</u>	<u>TOWNSHIP</u>
SBL 217.00-4-22.211	Holland
SBL 231.00-3-18.11	Holland
SBL 231.00-3-17	Holland
SBL 246.00-1-19	Holland
SBL 246.00-1-20.11	Holland
SBL 243.00-4-16	Colden
SBL 210.00-3-1.1	Boston
SBL 211.00-1-3	Boston
SBL 211.00-1-4	Boston

Such property necessary to be acquired by the County is herein referred to as the "Subject Properties"; and

WHEREAS, the acquisition of the portions of the Subject Properties is expected to be de minimis in nature so the public interest will not be prejudiced by the construction of the Project; and

WHEREAS, should one or more owners of the Subject Properties refuse to convey such portion of their real property to the County for an amount not exceeding fair market value, it will be necessary for the County to acquire the Subject Property by commencing eminent domain proceedings.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby approves the acquisition of the ROW required to construct the Project; and be it further

RESOLVED, that a sum not to exceed \$75,000 from SAP B.16006 2016 Capital Right of Way, Fund 420, BA123 be made available to cover all costs of ROW acquisition; and be it further

RESOLVED, that the County of Erie is authorized to acquire the necessary real property interests from the aforementioned Subject Properties for the purpose of constructing the Project; and be it further

RESOLVED, that the County of Erie is authorized to enter into all necessary contracts and agreements for the acquisition of the required ROW to construct the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including CHA Consulting, Inc., are hereby authorized to establish the amounts which he believes to represent just compensation for the real property interests to be acquired; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including CHA Consulting Inc., are hereby authorized to negotiate and offer just compensation amounts to the owners of the Subject Properties for the purpose of acquiring the necessary real property interest in portions of their respective parcels of real property by easement and/or fee, which acquisition is necessary for construction of the Project; and be it further

RESOLVED, that the Commissioner of Public Works, or his authorized representatives, including CHA Consulting Inc., are authorized to act on behalf of the County of Erie in connection with the acquisition of the required ROW from the owners of the Subject Properties; and be it further

RESOLVED, that the County Attorney shall prepare and the County Executive shall execute all appropriate documents relating to acquiring easement and/or fee interests in the necessary ROW; and be it further

RESOLVED, should one or more owners of the Subject Properties refuse to convey such portions of their real property to the County for an amount not to exceed the just compensation determined by the Commissioner of Public Works, or his authorized representatives, including CHA Consulting, Inc., the County is authorized to commence eminent domain procedures; and be it further

RESOLVED, that the Clerk of the Legislature forward three (3) certified copies of this resolution to the Department of Public Works, Office of the Commissioner, and also one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(4-0) Legislator Burke not present for vote.

JOSEPH C. LORIGO
CHAIR

Item 26 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 9

	REPORT NO. 1
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ALL MEMBERS PRESENT.

1. RESOLVED, all items are hereby tabled.

TED B. MORTON
CHAIR

Item 27 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 10

January 12, 2017	PUBLIC SAFETY COMMITTEE REPORT NO. 1
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ALL MEMBERS PRESENT.

1. COMM. 1E-17 (2017)
COUNTY EXECUTIVE

WHEREAS, there is an urgent need to reduce the backlog of Central Police Services (CPS) firearm cases, necessitating a personnel adjustment in the Forensic Laboratory.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided to delete the position of Part Time Forensic Biologist I (Job Group 11, step 0) and create the position of Part Time Firearms Examiner III (Job Group 12, step 0) in the Department of Central Police Services grant #165AIDCRLAB1617 (B-100 #8931); and be it further

RESOLVED, that authorization is hereby provided to adjust the grant in the budget of the Department of Central Police Services as follows:

Grant #165AIDCRLAB161, Fund 281
Central Police Services
7/1/16-6/30/17

<u>Revenue</u>	<u>Increase</u>
479000 County Share Contribution	\$750.00
 <u>Expense</u>	 <u>Increase</u>
500010 Salaries- Part Time	\$750.00

RESOLVED, that certified copies of this resolution be forwarded to the Erie County Executive, the Division of Budget and Management, Division of Personnel and the Department of Central Police Services, attention: Brian Speers.
(5-0)

2. COMM. 1E-18 (2017)

COUNTY EXECUTIVE

WHEREAS, New York State Division of Homeland Security and Emergency Services (NYS DHSES) has awarded \$150,000.00 to the Erie County Sheriff's Office in funding specifically allocated to agencies with established bomb squad units; and

WHEREAS, at the time of the grant application the Erie County Sheriff's Office must submit a specific list of training modules and the NYSDHSES approved consultants; and

WHEREAS, the NYSDHSES must approve the training vendors prior to the awarding of the grant; and

WHEREAS, the NYSDHSES approved training and vendors for this grant are as followed:

1. Yarborough Group - Explosive Breaching Training
2. Tactical Energetic Entry Systems - Explosive Breaching Training
3. Tactical Electronics - Advanced I.E.D. Electronics Training
4. Delaware Companies - Regional Leadership Training

; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract and accept \$150,000.00 in federal resources to provide funds for equipment to protect the residents of Erie County and the State of New York from terrorist attacks involving explosive devices; and

WHEREAS, there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the New York State Division of Homeland Security and Emergency Services to receive \$150,000.00 in grant funding for the Erie County Sheriff's Office; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Sheriff's Office
2017 Bomb Squad Grant

<u>ACCOUNT #</u>	<u>INCREASE</u>
414000 - Federal Revenue	\$ 150,000.00
<u>ACCOUNT #</u>	<u>INCREASE</u>

561410 - Lab & Technical Equipment	\$80,000.00
510200 - Training & Education	\$70,000.00

; and be it further

RESOLVED, that the Erie County Sheriff's Office is authorized to enter into agreements with the aforementioned NYSDHSES approved vendors for the described training not to exceed the \$70,000.00 provided by the grant, and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to establish and adjust budgets as required to comply with State and Federal approved funding levels; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Erie County Executive, Division of Budget and Management, Purchasing Department, the County Attorney's office, Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's office for implementation.

(5-0)

3. COMM. 1E-19 (2017)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Jail Management Division finds it necessary to make certain purchases for the safe and efficient operation of the Erie County Holding Center and Erie County Correctional Facility; and

WHEREAS, the correctional facility is currently operating with one working steam kettle in the kitchen to prepare inmate meals; and

WHEREAS, the staff has been forced to eliminate or greatly reduce the amount and number of hot meals to inmates; and

WHEREAS, the second steam kettle is often in a state of disrepair and, due to its age, is becoming increasingly more difficult and expensive to repair; and

WHEREAS, The Jail Management Division's Quick Extraction Team (QET) provides immediate and trained response when and inmate becomes violent and negotiations and tactical fail to bring the inmate into compliance; and

WHEREAS, QET members wear protective gear to reduce the potential for injuries, however, the current gear is over a decade old and many pieces are broken and cannot be repaired; and

WHEREAS, the Jail Management Division will be replacing thirty varying sizes of QET protective suits at the holding center and the correctional facility; and

WHEREAS, the Sheriff's office maintains and chaplain unit to provide religious services and spiritual counseling to inmates of varying faiths and beliefs, and

WHEREAS, the Sheriff's office seeks to enter into agreements with to additional religious leaders for inmate services, and

WHEREAS, Telephone Revenue funds will be used to purchase the requested equipment and the agreements for two additional Chaplain Unit members; and

WHEREAS, a few years ago the Sheriff and parks commissioner discussed utilizing property adjacent to the Erie County Correctional Facility to grow native trees to aid in reforestation efforts in county parks; and

WHEREAS, the Sheriff's jail management division has initiated an inmate arbor and nursery training and service action corps and will partner with the County Parks Department, Erie County Soil and Water District, Re-Tree WNY, and other local interested organizations to supplement reforestation efforts throughout Erie County; and

WHEREAS, the inmates will provide services to the County Parks Department, with an approved agreement with ASFME membership, for tree care and nursery services; and

WHEREAS, funds will be utilized to purchase two new transport and service vans as well as two new work and storage trailers; and

WHEREAS, the Erie County Sheriff's Office will work with the Division of Purchasing to gather necessary bids for all appropriate items; and

WHEREAS, there will be no impact on county tax dollars with the appropriation of the Jail Telephone Revenue funds.

NOW, THEREFORE, BE IT

RESOLVED, that \$131,000.00 in available Telephone Revenue Funds are hereby transferred to the appropriate Erie County Sheriff's Office accounts; and be it further

RESOLVED, that the legislature does hereby authorize the following budgetary transactions:

ERIE COUNTY SHERIFF'S OFFICE

Jail Management

REVENUE

415622

Jail Telephone Revenue funds

DECREASE

\$ 136,000.00

SHERIFF APPROPRIATION

516020

Professional Services & Fees

INCREASE

\$ 4,000.00

561410	Lab & Tech Equipment	\$ 17,000.00
506200	Maintenance & Repairs	\$ 31,000.00
561440	Motor Vehicles	<u>\$ 84,000.00</u>
	Total Appropriations	\$ 136,000.00

; and be it further

RESOLVED, the legislature does hereby authorize the County Executive and the Sheriff's office to enter into agreements with Edward Mayfield and Cleveland Howell at a rate of \$50.00 per service; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, that the Erie County Sheriff's Office and the Division of Budget and Management are authorized to have any unused funding either remain in or returned to Telephone Revenue account; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the County Executive, the Erie County Comptroller, the Division of Purchase and the Chief of Administration of the Sheriff Office for implementation.
(5-0)

EDWARD A. RATH III
CHAIR

LEGISLATOR RESOLUTIONS

Item 28 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

MR. LOUGHRAN moved to amend the item. MS. GRANT seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. GRANT and MR. LOUGHRAN. NOES: MR. BURKE, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. (AYES: 2; NOES: 9)

FAILED.

CHAIR MILLS moved the previous question, and directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

RESOLUTION NO. 11

RE: Inclusion of Viable Agricultural Lands
Into an Agricultural District
(INTRO. 2-1)

A RESOLUTION TO BE SUBMITTED
BY LEGISLATORS MILLS & MORTON

WHEREAS, pursuant to New York State Agriculture and Markets Law (“Agriculture and Markets Law”) Section 303-b(1) the Erie County Legislature adopted Intro 20-15 (2004) on September 23, 2004; and

WHEREAS, the Erie County Legislature designated September 1 through September 30 as the annual thirty-day period during which applicants may submit requests to include predominantly viable agricultural land into any existing certified agricultural district outside of the established 8-year review period; and

WHEREAS, during the 2016 thirty-day open enrollment period sixty-two applicants requested that one hundred fifteen parcels of land be included in existing agricultural districts; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine if each includes “viable agricultural land” as defined in Agriculture and Markets Law Section 301(7); and

WHEREAS, the Erie County Agricultural and Farmland Protection Board reviewed each request to determine whether the inclusion of such land would serve the public interest and maintain a viable agricultural industry within the district; and

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature adopt the inclusion of ninety-seven parcels listed below in an existing agricultural district; and

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
108.00-1-27	79.16	12657 North Rd.	Alden	Daniel Pautler <i>Justin Pautler</i>	Alden-Newstead 1
335.10-1-23 322.00-1-43.11 318.00-4-9.2 319.00-2-6.2	171.51	0 N. Central Ave 0 Lennox Rd. 5095 Kaiser Rd.	Springville Concord Collins North Collins	Norbert Gabel Jr	Concord 15 Consolidated Southwest 8
319.00-2-5.2	11.55	5101 Kaiser Rd.	North Collins	Norbert & Rita Gabel Paul Gabel	Concord 15
29.01-2-5.1 29.01-2-5.2	29.23	10060; 10090 Transit Rd.	Amherst	Fritz G. Lotter	Amherst 17

12.00-1-8	1.4	1621 Huth Rd.	Grand Island	Daniel Pedlow	Amherst 17
12.13-5-1.1	0.69	5618 East River Rd.	Grand Island	Robert Wynne & Kathy Bernard	Amherst 17
12.19-1-24	2	3440 Stony Point Rd.	Grand Island	John Ventry	Amherst 17
23.08-2-44 23.08-2-45 23.08-2-46 23.08-2-47 23.08-2-49 23.08-2-50 23.08-2-71 23.08-2-72 23.08-2-73 23.08-2-74 23.08-2-75 23.08-2-76 23.08-2-77 23.08-2-78 23.08-2-79.1 23.08-2-82	6.64	Morningside Drive	Grand Island	Szur Builders Inc. Elizabeth Szur (Alex Szur estate)	Amherst 17
23.14-1-6.2	17.77	3611 West River Pkwy	Grand Island	Colleen Martin	Amherst 17
24.03-1-26	2.9	2562 Baseline Rd.	Grand Island	Joseph & Betty Kaefer	Amherst 17
24.05-4-40	1.91	2126 Long Rd.	Grand Island	John & Donna Pedlow	Amherst 17
24.06-3-3	6.15	1694 Huth Rd.	Grand Island	James Geblein	Amherst 17
24.07-2-6	1.2	1476 Huth Rd.	Grand Island	Paul & Laura Slagle	Amherst 17
24.11-1-4.1	3.25	3030 Stony Point Rd.	Grand Island	Patricia Burg	Amherst 17
24.18-1-5	3.98	1762 Bedell Rd.	Grand Island	Joseph A. Killian	Amherst 17
24.19-4-3	4.4	2508 Stony Point Rd.	Grand Island	Justin Thompson	Amherst 17
25.00-2-23.12	5.15	500 Ransom Rd.	Grand Island	Charles & Kathleen Pratt	Amherst 17
36.00-3-12.11 36.00-3-12.121	62.25	2555; 2567 Staley Rd.	Grand Island	Kathleen Lorentz	Amherst 17
36.00-3-26.1	13.64	2769 Staley Rd.	Grand Island	Dale Gruber	Amherst 17
36.01-4-50.1	0.47	3047 Whitehaven Rd.	Grand Island	Jeremy & Elisabeth Hoyt	Amherst 17
36.04-1-32 36.04-1-33 36.04-1-34 36.04-1-27.12	1.31	2027 Staley Rd 1698 Baseline Rd. Adjacent vacant parcels	Grand Island	Edwin Dylag	Amherst 17
37.01-2-10	0.74	1755 Whitehaven Rd.	Grand Island	David Hollinworth	Amherst 17
37.01-2-16	7.81	1841 Whitehaven Rd.	Grand Island	1841 Whitehaven Inc. <i>Christopher Beyer (President)</i>	Amherst 17
37.01-2-3.1 37.01-2-4.2	1.98	1645; 1655 Whitehaven Rd.	Grand Island	John Tripi	Amherst 17
37.01-2-8	2.07	1739 Whitehaven Rd.	Grand Island	Patricia Ray	Amherst 17
37.01-2-9	1.06	1743 Whitehaven Rd.	Grand Island	Gerald & Sheila Daminski	Amherst 17
37.02-1-16	0.94	2249 Stony Point Rd.	Grand Island	Calvin Vandermeij	Amherst 17
37.03-2-49	8.04	1656 Whitehaven Rd.	Grand Island	James Smith	Amherst 17
37.03-3-15	3.05	2076 Stony Point Rd.	Grand Island	Kim Leys	Amherst 17
37.04-1-35.11	21.88	1301 Staley Rd.	Grand Island	Deborah Zarbo	Amherst 17
37.04-1-53	6.22	1819 Stony Point Rd.	Grand Island	Barbara Brown	Amherst 17
37.04-1-54.2	5.18	1799 Stony Point Rd.	Grand Island	Michael & Patricia Becker	Amherst 17

37.20-1-6 37.20-1-8.1 37.20-1-8.2 37.20-1-9 37.20-1-11 37.20-1-12.1 38.17-2-3 51.08-1-62 51.08-1-63	47.37	1952 East River Rd. Surrounding unnumbered parcels	Grand Island	Margaret Pfohl Bauman	Amherst 17
49.08-1-1 49.08-1-26 23.14-1-21 23.14-1-26 50.18-1-11 63.12-2-40.1	4.5	1401; 2297; 2339 West River Rd. 2955 Bedell Rd. 2323 Bush Rd.	Grand Island	Daniel B. Oliveri	Amherst 17
50.00-1-8.1	12.38	2858 Staley Rd.	Grand Island	Kristin Yiengst	Amherst 17
50.00-2- 11.112	6.93	2397 Love Rd.	Grand Island	Kelly Knickerbocker	Amherst 17
50.00-2- 11.211	14.41	2401 Love Rd.	Grand Island	Myra Kaiser	Amherst 17
50.03-1-35	5.63	2808 Love Rd.	Grand Island	Jourdain P. Benoit	Amherst 17
50.03-2-3.121	8.12	2823 Fix Rd.	Grand Island	Chris Kam	Amherst 17
50.04-1-17.11 50.04-1-20.1 50.04-1-21.1 50.04-1-22 50.04-1-23.11 50.04-2- 19.111	25.62	2548; 2564 Love Rd.	Grand Island	Robert Mesmer	Amherst 17
50.04-1-5.1	1.69	2716 Love Rd.	Grand Island	Keith Everett	Amherst 17
50.04-2-14.1 50.04-2-12.2 50.18-1-4	1.64	2661; 2667 Fix Rd. 1483 West River Pkwy	Grand Island	Paul F. Schultz II	Amherst 17
50.04-2-2.21	5.57	2769 Fix Rd.	Grand Island	Anthony Grimmelt	Amherst 17
50.17-2-12	0.6	1625 West River Pkwy	Grand Island	Jason Shero	Amherst 17
51.02-1-7	1.56	1388 Staley Rd.	Grand Island	Thomas P. Cunningham <i>Chris Caruana</i>	Amherst 17
63.12-2-36 63.12-2-37 63.12-2-38 63.12-2-39	0.68	2347 Bush Rd.	Grand Island	Kim M. Swain	Amherst 17
64.00-2-1	5	2286 Bush Rd.	Grand Island	Timothy Crockett	Amherst 17
64.05-3-1.2 64.05-3-1.12 64.05-3-1.11	23.05	2198 Fix Rd.	Grand Island	Raymond L. DeGlopper	Amherst 17

WHEREAS, the Erie County Agricultural and Farmland Protection Board voted to recommend that the County Legislature reject the inclusion of sixteen parcels listed below in an existing agricultural district, and

11.20-1-79	0.31	183 Pin Oak Circle	Grand Island	James Marks & Scott Berube	Amherst 17
11.20-2-2	0.34	366 Havenwood Ln.	Grand Island	Stephen L. Trimper	Amherst 17

12.13-1-36	0.3	5541 East River Rd.	Grand Island	Daniel Furmanek	Amherst 17
12.13-1-8	0.95	5721 East River Rd.	Grand Island	Celeste Angelo	Amherst 17
12.18-1-25	0.16	3426 Warner Dr.	Grand Island	John & Maria Dojka	Amherst 17
24.15-1-81	0.73	2748 Stony Point Rd.	Grand Island	James C. Korczykowski	Amherst 17
24.16-6-17	0.36	1031 Foxcroft Rd.	Grand Island	Brian & Amanda Hoyt	Amherst 17
37.03-4-13	0.96	1958 Webb Rd.	Grand Island	Thomas J. Thompson	Amherst 17
38.13-1-7	0.65	1884 Harvey Rd.	Grand Island	Tristan Wilkinson	Amherst 17
38.17-2-14	0.67	2196 East River Rd.	Grand Island	Dean Moakis	Amherst 17
99.68-3-17 99.68-3-18	0.22	157; 159 Fourteenth	Buffalo	Jason Shero	Amherst 17
51.15-2-6	0.31	1530 Love Rd.	Grand Island	Harold & Deborah Clark	Amherst 17
51.17-2-27	0.21	1082 Carter Dr.	Grand Island	Wendy & Jamie Ferrie	Amherst 17
51.18-3-34	0.24	974 Stony Point Rd.	Grand Island	James M. Olmstead	Amherst 17
64.06-2-14	0.43	925 East River Rd.	Grand Island	Aaron & Katherine Keeler	Amherst 17

WHEREAS, pursuant to Agriculture and Markets Law Sections 303-b(2)(b) and 303-b(3) the Erie County Legislature gave the required public notice and set a public hearing for November 10, 2016; and

WHEREAS, pursuant to Agriculture and Markets Law Section 303-b(3)(b) the Erie County Legislature published a public hearing notice in a newspaper having general circulation within the County and notified in writing those municipalities whose territory encompasses the lands which are proposed to be included in an agricultural district; and

WHEREAS, a public hearing was held at 6:00 p.m. on November 10, 2016 at the Grand Island Memorial Library in Grand Island, New York to consider the 2016 open enrollment period requests and recommendations of the Erie County Agricultural and Farmland Protection Board; and

WHEREAS, the Erie County Legislature reviewed the requests pursuant to the NYS Environmental Quality Review Act.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature adopts the inclusion of the following ninety-six parcels into an adjacent existing agricultural district; and be it further

PARCEL(S)	ACRES (approx.)	ADDRESS	TOWN	APPLICANT	DISTRICT
108.00-1-27	79.16	12657 North Rd.	Alden	Daniel Pautler <i>Justin Pautler</i>	Alden-Newstead 1
335.10-1-23 322.00-1-43.11 318.00-4-9.2 319.00-2-6.2	171.51	0 N. Central Ave 0 Lennox Rd. 5095 Kaiser Rd.	Springville Concord Collins North Collins	Norbert Gabel Jr	Concord 15 Consolidated Southwest 8
319.00-2-5.2	11.55	5101 Kaiser Rd.	North Collins	Norbert & Rita Gabel Paul Gabel	Concord 15
29.01-2-5.1	29.23	10060; 10090 Transit Rd.	Amherst	Fritz G. Lotter	Amherst 17

29.01-2-5.2					
12.00-1-8	1.4	1621 Huth Rd.	Grand Island	Daniel Pedlow	Amherst 17
12.13-5-1.1	0.69	5618 East River Rd.	Grand Island	Robert Wynne & Kathy Bernard	Amherst 17
12.19-1-24	2	3440 Stony Point Rd.	Grand Island	John Ventry	Amherst 17
23.08-2-44 23.08-2-45 23.08-2-46 23.08-2-47 23.08-2-49 23.08-2-50 23.08-2-71 23.08-2-72 23.08-2-73 23.08-2-74 23.08-2-75 23.08-2-76 23.08-2-77 23.08-2-78 23.08-2-79.1 23.08-2-82	6.64	Morningside Drive	Grand Island	Szur Builders Inc. Elizabeth Szur (Alex Szur estate)	Amherst 17
23.14-1-6.2	17.77	3611 West River Pkwy	Grand Island	Colleen Martin	Amherst 17
24.03-1-26	2.9	2562 Baseline Rd.	Grand Island	Joseph & Betty Kaefer	Amherst 17
24.05-4-40	1.91	2126 Long Rd.	Grand Island	John & Donna Pedlow	Amherst 17
24.06-3-3	6.15	1694 Huth Rd.	Grand Island	James Geblein	Amherst 17
24.07-2-6	1.2	1476 Huth Rd.	Grand Island	Paul & Laura Slagle	Amherst 17
24.11-1-4.1	3.25	3030 Stony Point Rd.	Grand Island	Patricia Burg	Amherst 17
24.18-1-5	3.98	1762 Bedell Rd.	Grand Island	Joseph A. Killian	Amherst 17
24.19-4-3	4.4	2508 Stony Point Rd.	Grand Island	Justin Thompson	Amherst 17
25.00-2-23.12	5.15	500 Ransom Rd.	Grand Island	Charles & Kathleen Pratt	Amherst 17
36.00-3-12.11 36.00-3-12.121	62.25	2555; 2567 Staley Rd.	Grand Island	Kathleen Lorentz	Amherst 17
36.00-3-26.1	13.64	2769 Staley Rd.	Grand Island	Dale Gruber	Amherst 17
36.01-4-50.1	0.47	3047 Whitehaven Rd.	Grand Island	Jeremy & Elisabeth Hoyt	Amherst 17
36.04-1-32 36.04-1-33 36.04-1-34 36.04-1-27.12	1.31	2027 Staley Rd 1698 Baseline Rd. Adjacent vacant parcels	Grand Island	Edwin Dylag	Amherst 17
37.01-2-10	0.74	1755 Whitehaven Rd.	Grand Island	David Hollinworth	Amherst 17
37.01-2-16	7.81	1841 Whitehaven Rd.	Grand Island	1841 Whitehaven Inc. <i>Christopher Beyer</i>	Amherst 17

				<i>(President)</i>	
37.01-2-3.1 37.01-2-4.2	1.98	1645; 1655 Whitehaven Rd.	Grand Island	John Tripi	Amherst 17
37.01-2-8	2.07	1739 Whitehaven Rd.	Grand Island	Patricia Ray	Amherst 17
37.01-2-9	1.06	1743 Whitehaven Rd.	Grand Island	Gerald & Sheila Daminski	Amherst 17
37.02-1-16	0.94	2249 Stony Point Rd.	Grand Island	Calvin Vandermey	Amherst 17
37.03-2-49	8.04	1656 Whitehaven Rd.	Grand Island	James Smith	Amherst 17
37.04-1-35.11	21.88	1301 Staley Rd.	Grand Island	Deborah Zarbo	Amherst 17
37.04-1-53	6.22	1819 Stony Point Rd.	Grand Island	Barbara Brown	Amherst 17
37.04-1-54.2	5.18	1799 Stony Point Rd.	Grand Island	Michael & Patricia Becker	Amherst 17
37.20-1-6 37.20-1-8.1 37.20-1-8.2 37.20-1-9 37.20-1-11 37.20-1-12.1 38.17-2-3 51.08-1-62 51.08-1-63	47.37	1952 East River Rd. Surrounding unnumbered parcels	Grand Island	Margaret Pfohl Bauman	Amherst 17
49.08-1-1 49.08-1-26 23.14-1-21 23.14-1-26 50.18-1-11 63.12-2-40.1	4.5	1401; 2297; 2339 West River Rd. 2955 Bedell Rd. 2323 Bush Rd.	Grand Island	Daniel B. Oliveri	Amherst 17
50.00-1-8.1	12.38	2858 Staley Rd.	Grand Island	Kristin Yiengst	Amherst 17
50.00-2-11.112	6.93	2397 Love Rd.	Grand Island	Kelly Knickerbocker	Amherst 17
50.00-2-11.211	14.41	2401 Love Rd.	Grand Island	Myra Kaiser	Amherst 17
50.03-1-35	5.63	2808 Love Rd.	Grand Island	Jourdain P. Benoit	Amherst 17
50.03-2-3.121	8.12	2823 Fix Rd.	Grand Island	Chris Kam	Amherst 17
50.04-1-17.11 50.04-1-20.1 50.04-1-21.1 50.04-1-22 50.04-1-23.11 50.04-2-19.111	25.62	2548; 2564 Love Rd.	Grand Island	Robert Mesmer	Amherst 17
50.04-1-5.1	1.69	2716 Love Rd.	Grand Island	Keith Everett	Amherst 17
50.04-2-14.1 50.04-2-12.2 50.18-1-4	1.64	2661; 2667 Fix Rd. 1483 West River Pkwy	Grand Island	Paul F. Schultz II	Amherst 17
50.04-2-2.21	5.57	2769 Fix Rd.	Grand Island	Anthony Grimmelt	Amherst 17

50.17-2-12	0.6	1625 West River Pkwy	Grand Island	Jason Shero	Amherst 17
51.02-1-7	1.56	1388 Staley Rd.	Grand Island	Thomas P. Cunningham <i>Chris Caruana</i>	Amherst 17
63.12-2-36 63.12-2-37 63.12-2-38 63.12-2-39	0.68	2347 Bush Rd.	Grand Island	Kim M. Swain	Amherst 17
64.00-2-1	5	2286 Bush Rd.	Grand Island	Timothy Crockett	Amherst 17
64.05-3-1.2 64.05-3-1.12 64.05-3-1.11	23.05	2198 Fix Rd.	Grand Island	Raymond L. DeGlopper	Amherst 17

RESOLVED, that the Erie County Legislature rejects the inclusion of the following seventeen parcels into an existing agricultural district; and be it further

11.20-1-79	0.31	183 Pin Oak Circle	Grand Island	James Marks & Scott Berube	Amherst 17
11.20-2-2	0.34	366 Havenwood Ln.	Grand Island	Stephen L. Trimper	Amherst 17
12.13-1-36	0.3	5541 East River Rd.	Grand Island	Daniel Furmanek	Amherst 17
12.13-1-8	0.95	5721 East River Rd.	Grand Island	Celeste Angelo	Amherst 17
12.18-1-25	0.16	3426 Warner Dr.	Grand Island	John & Maria Dojka	Amherst 17
24.15-1-81	0.73	2748 Stony Point Rd.	Grand Island	James C. Korczykowski	Amherst 17
24.16-6-17	0.36	1031 Foxcroft Rd.	Grand Island	Brian & Amanda Hoyt	Amherst 17
37.03-4-13	0.96	1958 Webb Rd.	Grand Island	Thomas J. Thompson	Amherst 17
38.13-1-7	0.65	1884 Harvey Rd.	Grand Island	Tristan Wilkinson	Amherst 17
38.17-2-14	0.67	2196 East River Rd.	Grand Island	Dean Moakis	Amherst 17
99.68-3-17 99.68-3-18	0.22	157; 159 Fourteenth	Buffalo	Jason Shero	Amherst 17
51.15-2-6	0.31	1530 Love Rd.	Grand Island	Harold & Deborah Clark	Amherst 17
51.17-2-27	0.21	1082 Carter Dr.	Grand Island	Wendy & Jamie Ferrie	Amherst 17
51.18-3-34	0.24	974 Stony Point Rd.	Grand Island	James M. Olmstead	Amherst 17
64.06-2-14	0.43	925 East River Rd.	Grand Island	Aaron & Katherine Keeler	Amherst 17
37.03-3-15	3.05	2076 Stony Point Rd.	Grand Island	Kim Leys	Amherst 17

RESOLVED, that the Erie County Legislature has complied with the requirements of the New York State Environmental Quality Review Act and hereby determines that the requested parcel

additions to the Agricultural Districts noted above will not have a significant adverse environmental impact and therefore an environmental impact statement will not be required; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive, the Commissioner of Environment and Planning, the Director of Real Property Tax Services, the Chair of the Erie County Agricultural and Farmland Protection Board, and the Supervisors of the Towns of Alden, Concord, Springville, Collins, North Collins, Amherst, and Grand Island; and be it further

RESOLVED, that the Commissioner of Environment and Planning send a certified copy of this resolution along with the Erie County Agricultural and Farmland Protection Board report and maps for each parcel of land to be included in an existing agricultural district to the Commissioner of New York State Department of Agriculture and Markets for certification and immediate inclusion into existing agricultural districts.

Item 29 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 12

RE: Buffalo Bills SEQR Lead Agency
Consent
(INTRO. 2-2)

A RESOLUTION TO BE
SUBMITTED BY CHAIR MILLS

WHEREAS, the Buffalo Bills, LLC (the “Bills”) recently purchased parcel 161.17-6-4.2 adjacent to One Bills Drive in Orchard Park for the purposes of constructing a new 100 yard practice field (“the Project”); and

WHEREAS, the proposed Project will involve the conveyance of said parcel to the County of Erie (the “County”), amendment of the 2013 Stadium Lease between the County, Erie County Stadium Corporation and the Bills, among other documents, to reflect the additional parcel, construction of a 100 yard practice field and realignment of regional drive; and

WHEREAS, the New York State Environmental Quality Review Act (“SEQR”) requires the consideration of the potential environmental impacts, if any, associated with the Project; and

WHEREAS, pursuant to SEQR, the County desires to serve as the lead agency in the environmental review of the Project and is soliciting for lead agency status with potential involved and interested agencies; and

WHEREAS, the County has identified the Erie County Legislature as an involved agency;
and

WHEREAS, pursuant to SEQR if all involved agencies agree on a lead agency, a lead agency may be established in a shorter time period than thirty (30) days.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature consents to Erie County serving as lead agency for purposes of SEQR with respect to the Project described herein; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the Office of the County Executive; the Commissioner of the Department of Environment and Planning; the Commissioner of the Department of Public Works, the County Attorney, and, the Town Supervisor of Orchard Park Patrick Keem, and any other party deemed necessary and proper.

Item 30 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 13

RE: Appointment of Legislature's Advisor on
Open Meetings and Freedom of
Information Laws
(INTRO. 2-3)

A RESOLUTION TO BE
SUBMITTED BY CHAIR MILLS

WHEREAS, pursuant to the Erie County Charter, Article 2 §202.4 the Legislature must select from its members an advisor to this honorable body on the Open Meeting and Freedom of Information Laws; and

WHEREAS, Legislator Joseph C. Lorigo, being an attorney himself, is well qualified to ensure this honorable body complies with all sections of the aforementioned laws; and

WHEREAS, Legislator Lorigo has served in this capacity since 2014.

NOW, THEREFORE, BE IT

RESOLVED, that Legislator Joseph C. Lorigo be selected as this Honorable body's advisor on the Open Meetings and Freedom of Information laws.

Item 31 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 2-4 from LEGISLATORS BURKE & GRANT. Support for Funding Buffalo School Nurses.

Item 32 – CHAIR MILLS directed that the following item be referred to the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

INTRO. 2-5 from LEGISLATOR BURKE. Support for an Erie County "Dig Once" Policy.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 33 – MR. LORIGO moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 1E-9. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 14

RE: EC Sewer District No. 4 - Increase &
Improvement of Facilities (2016)
(COMM. 1E-9, 2017)

BOND RESOLUTION DATED JANUARY 26, 2017

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE ISSUANCE OF \$6,000,000 BONDS OF THE COUNTY, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 4; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$6,000,000, STATING THE PLAN OF FINANCING; PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS; AND PROVIDING FOR REIMBURSEMENT BY ERIE COUNTY SEWER DISTRICT NO. 4 TO SAID COUNTY.

(Introduced) January 5, 2017

(Adopted) January 26, 2017

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly a resolution of this County Legislature dated December 15, 2016, an increase and improvement of facilities of Erie County Sewer District No. 4 (the District”) has been approved at a total estimated maximum cost of \$6,000,000 (the “Projects”); now therefore be it

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called “County”), is hereby authorized to undertake the Projects, consisting of: (i) various pumping station improvements at the estimated maximum cost of \$2,400,000; (ii) various collection system/infiltration and inflow improvements at the estimated maximum cost of \$2,100,000; and (iii) improvements required by anticipated modification of the State Pollutant Discharge Elimination System permit for the Depew Overflow Retention Facility at the estimated maximum cost of \$1,500,000; all as more fully described in the report and estimate of cost approved by the Board of Managers of the District on June 22, 2016 and

filed with the County Legislature pursuant to Section 268 of the County Law. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$6,000,000 and said amount is hereby appropriated therefor pursuant to the duly adopted 2016 Capital Budget for the County. The plan of financing includes the issuance of \$6,000,000 aggregate principal amount of bonds of the County to finance said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in the District, as well as the contracting communities including Erie County Sewer District No. 1, West Seneca District No. 6, Cheektowaga Sewer District No. 3, and Lancaster town sewer districts, all in accordance with their respective proportionate shares of equalized assessed value in the District.

Section 2. Bonds of the County in the principal amount of \$6,000,000, or so much thereof as may be necessary, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific objects or purposes for which said \$6,000,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 4 of the Law, is forty (40) years.

Section 4. Current funds are not required to be provided as a down payment prior to the issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 5. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of said improvements, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 7. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of

said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This Resolution shall take effect immediately upon approval by the County Executive.

MR. LORIGO moved to approve the item. MS. DIXON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

Item 34 – MR. LORIGO moved to discharge the ENERGY & ENVIRONMENT COMMITTEE of further consideration of COMM. 1E-10. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 15

RE: EC Sewer District No. 6 - Increase & Improvement of Facilities (2016)
(COMM. 1E-10, 2017)

BOND RESOLUTION DATED JANUARY 26, 2017

BOND RESOLUTION OF THE COUNTY OF ERIE, NEW YORK, AUTHORIZING THE ISSUANCE OF \$3,500,000 BONDS OF THE COUNTY, OR SO MUCH THEREOF AS MAY BE NECESSARY, TO FINANCE THE COST OF AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF ERIE COUNTY SEWER DISTRICT NO. 6; STATING THE ESTIMATED MAXIMUM COST THEREOF IS \$3,500,000, STATING THE PLAN OF FINANCING;

PROVIDING FOR A TAX TO PAY THE PRINCIPAL OF AND INTEREST ON SAID BONDS;
AND PROVIDING FOR REIMBURSEMENT BY ERIE COUNTY SEWER DISTRICT NO. 6 TO
SAID COUNTY.

(Introduced) January 5, 2017

(Adopted) January 26, 2017

WHEREAS, pursuant to proceedings had and taken in accordance with the provisions of Article 5A of the County Law and more particularly a resolution of this County Legislature dated December 15, 2016, an increase and improvement of facilities of Erie County Sewer District No. 6 (the District") has been approved at a total estimated maximum cost of \$3,500,000 (the "Projects"); now therefore be it

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK (by the affirmative vote of not less than two thirds of the voting strength of said Legislature), AS FOLLOWS:

Section 1. The County of Erie, New York (herein called "County"), is hereby authorized to undertake the Projects, consisting of: (i) Waste Water Treatment Plant disinfection system at the estimated maximum cost of \$1,200,000; (ii) baseline Waste Water Treatment Plant projects at the estimated maximum cost of \$1,300,000; and (iii) inflow/infiltration pilot project and reduction program improvements at the estimated maximum cost of \$1,000,000; all as more fully described in the report and estimate of cost approved by the Board of Managers of the District on June 21, 2016 and filed with the County Legislature pursuant to Section 268 of the County Law. The total estimated maximum cost of said specific objects or purposes, including preliminary costs and costs incidental thereto and to the financing thereof, is \$3,500,000 and said amount is hereby appropriated therefor pursuant to the duly adopted 2016 Capital Budget for the County. The plan of financing includes the issuance of \$3,500,000 aggregate principal amount of bonds of the County to finance said appropriation, the levy and collection of taxes on all the taxable real property in the County to pay the principal of said bonds and the interest thereon as the same shall become due and payable, the said principal and interest to be reimbursed to the County by the assessment and levy on the real property in the District, all in accordance with their respective proportionate shares of equalized assessed value in the District.

Section 2. Bonds of the County in the principal amount of \$3,500,000, or so much thereof as may be necessary, are hereby authorized to be issued pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called the "Law") to finance said appropriation.

Section 3. The period of probable usefulness for the specific objects or purposes for which said \$3,500,000 bonds herein authorized are to be issued, within the limitations of §11.00 a. 4 of the Law, is forty (40) years.

Section 4. Current funds are not required to be provided as a down payment prior to the issuance of the bonds authorized herein, or any bond anticipation notes issued in anticipation thereof, pursuant to Section 107.00 d. 3. of said Law.

Section 5. The County intends to finance, and the Comptroller of the County is hereby authorized to advance such amounts as are necessary to pay the costs of said improvements, prior to the issuance of the bonds or bond anticipation notes herein authorized, out of any available funds of the County on an interim basis, which respective amounts are reasonably expected to be reimbursed with the proceeds of debt to be incurred by the County pursuant to this Resolution, in the respective maximum amounts of bonds herein authorized. This Resolution is a declaration of official intent adopted pursuant to the requirements of Treasury Regulation Section 1.150-2.

Section 6. Subject to the provisions of this Resolution and of the Law, and pursuant to the provisions of §21.00 relative to the issuance of bonds having substantially level or declining annual debt service, §30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals thereof, and of §§50.00, 56.00 to 60.00 and 168.00 of said Law, the powers and duties of the County Legislature relative to authorizing the issuance of any notes in anticipation of the sale of the respective amounts of bonds herein authorized, or the renewals thereof, relative to providing for substantially level or declining annual debt service, relative to prescribing the terms, form and contents and as to the sale and issuance of the respective amounts of bonds herein authorized, and of any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and relative to executing agreements for credit enhancement, are hereby delegated to the Comptroller of the County, as the chief fiscal officer of the County.

Section 7. Each of the bonds authorized by this Resolution and any bond anticipation notes issued in anticipation of the sale thereof shall contain the recital of validity prescribed by §52.00 of said Local Finance Law and said bonds and any notes issued in anticipation of said bonds shall be general obligations of the County of Erie, payable as to both principal and interest by general tax upon all the taxable real property within the County. The faith and credit of the County are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and any notes issued in anticipation of the sale of said bonds or the renewals of said notes, and provision shall be made annually in the budgets of the County by appropriation for (a) the amortization and redemption of the notes and bonds to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. The validity of the bonds authorized by this Resolution and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of the publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity, is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This Resolution shall take effect immediately upon approval by the County Executive.

MR. LORIGO moved to approve the item. MS. DIXON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

SUSPENSION OF THE RULES

Item 35 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 2E-35 from the COUNTY EXECUTIVE. Re: ECC - Presidential Search Consultant

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM LEGISLATOR LOUGHRAN

Item 36 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. LOUGHRAN seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 16

RE: Reappointment to the EC Fisheries
Advisory Board
(COMM. 2E-1)

RESOLVED, the Erie County Legislature hereby confirms the appointment, on the recommendation of the Erie County Legislature Minority Caucus, of George Johnson Jr (291 East Delavan Avenue, Buffalo, NY 14208) to serve on the Erie County Fisheries Advisory Board for a term that will expire December 31, 2019.

FROM CHAIR MILLS

Item 37 – (COMM. 2E-2) 2017 Committee Assignments

Received, filed and printed.

To: Karen M. McCarthy, Clerk
From: John J. Mills, Chair
Date: January 6, 2017

2017 COMMITTEE ASSIGNMENTS

Community Enrichment

Chair: Kevin R. Hardwick
Vice-Chair: Edward A. Rath III
Members: Joseph C. Lorigo
Patrick B. Burke
Thomas A. Loughran

Government Affairs

Chair: Kevin R. Hardwick
Vice-Chair: Lynne M. Dixon
Members: Edward A. Rath III
Thomas A. Loughran
Barbara Miller-Williams

Economic Development

Chair: Joseph C. Lorigo
Vice-Chair: Ted B. Morton
Members: Lynne M. Dixon
Patrick B. Burke
Thomas A. Loughran

Health & Human Services

Chair: Lynne M. Dixon
Vice-Chair: Edward A. Rath III
Members: Joseph C. Lorigo
Betty Jean Grant
Barbara Miller-Williams

Energy & Environment

Chair: Ted B. Morton
Vice-Chair: Joseph C. Lorigo
Members: Kevin R. Hardwick
Patrick B. Burke
Peter J. Savage III

Minority & Women Business Enterprise

Chair: Lynne M. Dixon
Vice-Chair: Edward A. Rath III
Members: Ted B. Morton
Betty Jean Grant
Peter J. Savage III

Finance & Management

Chair: Joseph C. Lorigo
Vice-Chair: Kevin R. Hardwick
Members: Ted B. Morton
Barbara Miller-Williams
Peter J. Savage III

Public Safety

Chair: Edward A. Rath III
Vice-Chair: Lynne M. Dixon
Members: Ted B. Morton
Betty Jean Grant
Peter J. Savage III

FROM THE COUNTY EXECUTIVE

Item 38 – (COMM. 2E-3) Appointment to the EC Deferred Compensation Committee

Received, filed and printed.

January 5, 2017

Honorable Members
Erie County Legislature
92 Franklin Street, Fourth Floor
Buffalo, New York 14202

Re: Appointment to Erie County Deferred Compensation Committee

Dear Honorable Members:

Pursuant to my authority, I hereby appoint Robert Keating to the Erie County Deferred Compensation Committee to fill a vacancy created by the resignation of Peter Sigurdson.

If you have any questions, please do not hesitate to contact David Palmer, Chairman of the Erie County Deferred Compensation Committee.

Sincerely yours,
MARK C. POLONCARZ
Mark C. Poloncarz, Esq.
Erie County Executive

cc: David Palmer, Commissioner of Personnel
Robert W. Keating
Timothy Callan, Secretary, Erie County Deferred Compensation Committee

Item 39 – (COMM. 2E-4) EC Sewer District No. 3 - Engineer Term Agreement - Work Order ARC-6

Received and filed.

Item 40 – (COMM. 2E-5) Contracts with National Grid and EC Industrial Land Development Corp. for Remediation of 4111 River Rd, Town of Tonawanda Property

Item 41 – (COMM. 2E-6) Contract with the EC Industrial Development Agency for Removal, Relocation & Construction of Rail Tracks on the Bethlehem Steel Site

Item 42 – (COMM. 2E-7) 2017 Annual Action Plan for the Community Development Block Grant, Emergency Solutions, and HOME Investment Partnership Programs

Item 43 – (COMM. 2E-8) Federal-Aid Highway Local Project - NYSDOT Supplemental Agreement No. 1 - Tonawanda Rails to Trails Extension Project, City of Tonawanda

Item 44 – (COMM. 2E-9) 2016 Repair of Fire Damage - A/E Design Services - 134 W Eagle St

Item 45 – (COMM. 2E-10) Intermunicipal Agreement with NYSDOT for Shared Services with EC

The above six items were received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 46 – (COMM. 2E-11) EC Dams & Flood Control Works - Vegetation Control Contract with EC Soil & Water

Item 47 – (COMM. 2E-12) Department of Parks - 2016-2017 State Aid for Snowmobile Development

Item 48 – (COMM. 2E-13) Department of Parks - Acceptance of Donation of Funds

Item 49 – (COMM. 2E-14) EC Sewer District No. 3 - Contract No. 37 STP-A General - Contract Close Out

Item 50 – (COMM. 2E-15) EC Sewer District No. 4 - Amended Revocable Permit - Owner of SBL No. 103.12-12-3

Item 51 – (COMM. 2E-16) EC Sewer District No. 4 - Contract No. 49 - Contract Close Out

Item 52 – (COMM. 2E-17) EC Sewer District No. 5 - Contract No. 21 - Contract Close Out

Item 53 – (COMM. 2E-18) Department of Environment & Planning - Authorization to Enter into Agreements to Accept Engineering Planning Grant Funding for EC Sewer District No. 6 Flow Monitoring Pilot

Item 54 – (COMM. 2E-19) EC Division of Sewerage Management - Proposed Changes in Staffing Plan

Item 55 – (COMM. 2E-20) MOUs with Solid Waste Management Boards

Item 56 – (COMM. 2E-21) Department of Environment & Planning - Big Sister Feasibility Study and Design Project for Period Mar. 2017-May 2018

The above eleven items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER

Item 57 – (COMM. 2E-22) 2016 Revenue Anticipation Note & 2016 Bond Sale Notification

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 58 – (COMM. 2E-23) Department of Health - Authorization to Contract with Orchard Park Emergency Fire District Medical Services

Item 59 – (COMM. 2E-24) Department of Health - Authorization to Contract with Greater Buffalo Veterinary Emergency Clinic - Rabies Vaccination Services

Item 60 – (COMM. 2E-25) Department of Mental Health - Authorization to Accept Grant Funding and Enter into Contract for Peer to Peer Veterans Counseling Program

Item 61 – (COMM. 2E-26) Department of Senior Services - Group Respite Program
Contracts

Item 62 – (COMM. 2E-27) Department of Social Services - Safe Harbor for Exploited
Children

Item 63 – (COMM. 2E-28) Department of Social Services, Division of Family Independence
- Implementation of Emergency Regulations - Emergency Measures for the Homeless During
Inclement Winter Weather

Item 64 – (COMM. 2E-29) Appointment to the EC Youth Services Board

The above seven items were received and referred to the HEALTH & HUMAN SERVICES
COMMITTEE.

FROM LEGISLATOR LORIGO

Item 65 – (COMM. 2E-30) Letter to Dept. of Social Services Commissioner Regarding
Inspections of Air Quality and Potential Presence of Cancerous Materials

Item 66 – (COMM. 2E-31) Letter to NYS Dept. of Labor Regarding Documents Concerning
Health Concerns at the EC Rath Building

The above two items were received and referred to the HEALTH & HUMAN SERVICES
COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 67 – (COMM. 2E-32) Department of Homeland Security & Emergency Services -
Custody of Oil Spill Response Trailer & Equipment

Item 68 – (COMM. 2E-33) Appointments to the EC Fire Advisory Board

The above two items were received and referred to the PUBLIC SAFETY COMMITTEE.

FROM THE SHERIFF

Item 69 – (COMM. 2E-34) Personnel Adjustments

Received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE COMMISSIONERS, BOARD OF ELECTIONS

Item 70 – MR. LORIGO presented the following resolution and moved for immediate
consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 17

RE: HAVA Storage & Training Facility
(COMM. 2D-1)

WHEREAS, the Federal legislation Help America Vote Act of 2002 (HAVA) requires the replacement of lever voting machines with electronic voting systems; and

WHEREAS, the Board of Elections is required to maintain certain election documents for extended period of time; and

WHEREAS, such systems require specialized storage and climate control; and

WHEREAS, the Erie County Board of Elections (ECBOE) desires to purchase equipment and services for this purpose; and

WHEREAS, the purchase of such equipment and services are eligible for 100% reimbursement from the Federal government through the State of New York; and

WHEREAS, the Commissioners of the ECBOE desire to enter into an agreement with the Tri-Main Development LLC for the purpose of making climate control improvements to the space occupied by the ECBOE service center; and

WHEREAS, the Tri-Main Development LLC will comply with all applicable local, state and federal laws, rules and regulations governing public works projects; and

WHEREAS, such improvements are eligible for 100% reimbursement from the State of New York.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is granted for the Board of Elections to enter into an agreement with the Tri-Main Development LLC in the amount of not to exceed \$47,200.00; and be it further

RESOLVED, that the Board of Elections will submit necessary paperwork for state and federal reimbursement for 100% of the purchase price of eligible equipment and services; and be it further

RESOLVED, that authorization is hereby granted to the Division of Budget to use funds from grant 150HAVAshoebox0214 – Help America Vote Act, fund 281, funds center 1500020, GL account 516020 – professional service contracts and fees for this project; and be it further

RESOLVED, that two (2) certified copies of this resolution be forwarded to the Board of Elections, one (1) certified copy be forwarded to the Division of Budget and Management, the Office of the Comptroller, the County Attorney's Office and the Division of Purchase.

Item 71 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 18

RE: Polling Sites: ADA Compliance
(COMM. 2D-2)

WHEREAS, the Federal legislation Help America Vote Act of 2002 (HAVA) requires the compliance with ADA requirements; and

WHEREAS, the Erie County Board of Elections (ECBOE) desires to facilitate accessibility improvements at various Erie County polling sites; and

WHEREAS, such improvements are eligible for 100% reimbursement from the Federal government through the State of New York; and

WHEREAS, the Commissioners of the ECBOE desire to enter into agreements with local municipalities and community organizations (Appendix A) for the purpose of making improvements to polling sites to accommodate voters with disabilities.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is granted for the Board of Elections to enter into agreements with local municipalities and community organizations (Appendix A) in an amount not to exceed \$88,577.00; and be it further

RESOLVED, that the Board of Elections will submit necessary paperwork for state and federal reimbursement for 100% of the purchase price of eligible equipment and services; and be it further

RESOLVED, that authorization is hereby granted to the Division of Budget to use funds from grant 150HAVAshoebox0214 – Help America Vote Act, fund 281, fund center 1500020, GL account 516020 – professional service contracts and fees for this project; and be it further

RESOLVED, that two (2) certified copies of this resolution be forwarded to the Board of Elections, one (1) certified copy be forwarded to the Division of Budget and Management, the Office of the Comptroller, the County Attorney’s Office and the Division of Purchase.

APPENDIX A

ORGANIZATION	POLLING LOCATION	PROJECT	COST	BOE/HAVA FUNDS	ELECTION DIST.
Boys & Girls Clubs	54 Riverdale Av. Buffalo	ADA doors -	\$ 2,410.00	\$ 2,410.00	TTON 20
		Concrete Walk -	\$ 7,590.00	\$ 7,590.00	
				\$ 10,000.00	

Diocese of Buffalo	17 Prospect St. Angola	Concrete Walk/ Parking - ADA doors -	\$ 37,300.00 \$ 13,770.00	\$ 37,300.00 \$ 13,770.00	EVNS 2,4,8,11,15
				\$ 51,070.00	
Hamburg Moose Lodge	45 Church St. Hamburg	ADA doors - Concrete Walk/Entrance	\$ 3,300.00 \$ 4,200.00	\$ 3,300.00 \$ 4,200.00	HAMB 27,28
				\$ 7,500.00	
City of Tonawanda	150 Fillmore Ave. Ton.	ADA doors (2) -	\$ 10,558.00	\$ 10,558.00	CTON 1-1
Village of Kenmore	135 Wilber (Comm. Center)	ADA door/Handicap rail	\$ 9,449.00	\$ 9,449.00	TTON 1,15,16
1/17/2017	Total			\$ 88,577.00	

FROM THE CLERK OF THE LEGISLATURE

Item 72 – (COMM. 2D-3) Certificate of Appointment of Member of the ECIDA

Received, filed and printed.

CLERK'S CERTIFICATE

I, Karen M. McCarthy, Clerk of the Erie County Legislature, Erie County, New York (the "Legislature"), HEREBY CERTIFY that the attached extract from the minutes of the meeting of the Legislature duly called and held on June 2, 1970, has been compared by me with the original minutes of said meeting as officially recorded in the Minute Book of the Legislature, and said extract is a correct transcript referred to in said extract, and the resolution contained in said extract has been duly adopted and said resolution, as amended, is in full force and effect.

I HEREBY FURTHER CERTIFY that the attached copy of the Certificate of Establishment of the Erie County Industrial Development Agency was duly filed with the Secretary of State on August 5, 1970, and pursuant to Section 856, subdivision 2 of the General Municipal Law, the undersigned hereby certifies that the following persons have been appointed or reappointed and are currently serving as members of the Erie County Industrial Development Agency and that the attached copies of the Certificate of Appointment of said members are true copies of the originals filed with the Secretary of State on the date or dates received thereon:

Diane Benczkowski
Rev. Mark E. Blue
Bryon W. Brown

John J. Mudie
Glenn R. Nellis
Louis Panzica

James F. Doherty
Joseph H. Emminger
Dottie Gallagher-Cohen
Richard Lipsitz, Jr.
David L. Lowrey
Brenda W. McDuffie

Mark C. Poloncarz
Darius G. Pridgen
Edward A. Rath, III
Sister Denise Roche
Paul V. Vukelic
Barry A. Weinstein

IN WITNESS WHEREOF, I have hereunto set my hand as aforesaid and affixed the seal of the Erie County Legislature as of January 10, 2016.

(SEAL)

KAREN M. McCARTHY
Karen M. McCarthy, Clerk

Item 73 – (COMM. 2D-4) NYS DEC Documents Received

Received and filed.

FROM THE DEPARTMENT OF LAW

Item 74 – (COMM. 2D-5) Notice of Public Hearing Regarding LL Intro. 16-1 (2016)

Received and filed.

FROM THE COMPTROLLER'S OFFICE

Item 75 – (COMM. 2D-6) Notice of Review of Employee Entrance to the Rath Building for Period Oct. 1-Dec. 31, 2016

Received and filed.

FROM THE DEPARTMENT OF PUBLIC WORKS

Item 76 – (COMM. 2D-7) ECC STEM Building Status Report - Dec. 2016

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 77 – (COMM. 2D-8) Transmittal of New Claims Against Erie County

Item 78 – (COMM. 2D-9) Transmittal of New Claims Against Erie County

The above two items were received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 79 – (COMM. 2M-1) Jan. 19, 2017 Board of Trustees Agenda

Received and filed.

FROM THE BUFFALO NIAGARA FILM COMMISSION

Item 80 – (COMM. 2M-2) 2017 Budget Accountability Submission

Received and filed.

FROM THE NYS DEPARTMENT OF TAXATION & FINANCE

Item 81 – (COMM. 2M-3) Real Property Tax Services - Statement of County Equalization Rates

Received and filed.

FROM THE SUPERVISOR, TOWN OF AMHERST

Item 82 – (COMM. 2M-4) Town Resolution Regarding Request for an Appointment to the EC Sewer District No. 5 Board of Managers

Received and filed.

FROM THE NYS DEPARTMENT OF LABOR

Item 83 – (COMM. 2M-5) Letter in Response to Legislator Lorigo's Request Regarding Documents Concerning Health Concerns at the EC Rath Building

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM EMPLOYEES, DEPARTMENT OF SOCIAL SERVICES

Item 84 – (COMM. 2M-6) Copy of Letter to Department of Social Services Regarding Health Concerns in the EC Rath Building

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

ANNOUNCEMENTS

Item 85 – CHAIR MILLS announced the committee schedule for February 2, 2017 has been distributed.

Item 86 – CHAIR MILLS announced the next regularly scheduled legislative session is February 9, 2017.

Item 87 – MS. MILLER-WILLIAMS announced a workshop “Accessing Erie County Funding Workshop” has been scheduled for February 25, 2017, from 10:00 a.m. to 2:00 p.m., at the Buffalo & Erie County Public Library at 1 Lafayette Square.

MEMORIAL RESOLUTIONS

Item 88 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Paula M. Biniewski-Heimburg, Edwin “Bud” Duma, Claire E. Martoche, Deacon Robert J. Moses, Mary Lynn Ranger and Edward D. “Tokie” Tokarz.

Item 89 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of Aniyah M. Lewis.

Item 90 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Arthur T. Kisloski and John J. Riordan Jr.

Item 91 – Legislator Lorigo requested that when the Legislature adjourns, it do so in memory of Lillian Melohusky.

Item 92 – Legislator Miller-Williams requested that when the Legislature adjourns, it do so in memory of Jay Lee Peacock.

Item 93 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Diane L. Fuller, Norbert B. Manuszewski and William J. Stevenson.

Item 94 – Legislator Rath requested that when the Legislature adjourns, it do so in memory of Kevin M. Cray Sr, James J. DeHaven and Judge Maryann Killeen-Ast.

Item 95 – Legislator Savage requested that when the Legislature adjourns, it do so in memory of Judge Maryann Killeen-Ast, Clarine “Candy” Laughlin, Claire E. Martoche and Paul Palumbo.

ADJOURNMENT

Item 96 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. LORIGO moved that the Legislature adjourn until Thursday, February 9, 2017 at 2:00 p.m. Eastern Standard Time. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, February 9, 2017 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE